

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

~~FILED~~
U.S. DIST. COURT
BRUNSWICK DIV.

2005 JUN 15 P 12:21

CLERK 
SO. DIST. OF GA.

UNITED STATES OF AMERICA

v.

CASE NO.: CR205-07

WILLIE JAMES TAYLOR, JR.
a/k/a Jack Taylor

ORDER

On May 24, 2005, the undersigned sentenced Defendant Willie James Taylor, Jr., ("Taylor") to 180 months' imprisonment, five years' supervised release, and a \$100.00 special assessment after Taylor pleaded guilty to violations of 18 U.S.C.A. §§ 922(g)(1) and 924(e). The undersigned entered his Judgment on the same date. Taylor mailed a letter to the undersigned, which was postmarked on May 25, 2005. Taylor states in this letter that he would like to appeal his conviction and sentence. The undersigned construes Taylor's letter as his request that the Clerk of the Court file a notice of appeal on his behalf. See FED. R. CRIM. P. 32(j)(2).

"In a criminal case, a defendant's notice of appeal must be filed in the district court within 10 days . . . after the entry of either the judgment or the order being appealed." FED. R. APP. P. 4(b)(1)(A)(I). However, "[u]pon a finding of excusable neglect or good cause, the district court may— before or after the time has expired, with or without motion and notice— extend the time to file a notice of appeal for a period not to exceed 30 days of the expiration of the time otherwise prescribed by this Rule 4(b)." FED. R. APP. P. 4(b)(4).

The undersigned's Judgment in this case was entered on May 24, 2005, and ordinarily, a notice of appeal was to be filed on Taylor's behalf on or before June 8, 2005. See FED. R. APP. P. 26(a)(1)-(2). Nonetheless, the Clerk of the Court inadvertently overlooked Taylor's letter to the undersigned, and a notice of appeal was not filed on his behalf within the prescribed period of time. The undersigned hereby finds that the Clerk's oversight constitutes "good cause" and extends the time in which a notice of appeal can be filed on Taylor's behalf. The Clerk of the Court is hereby directed to file a notice of appeal on Taylor's behalf immediately upon receipt of this Order.

SO ORDERED, this 15th day of June, 2005.


JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA